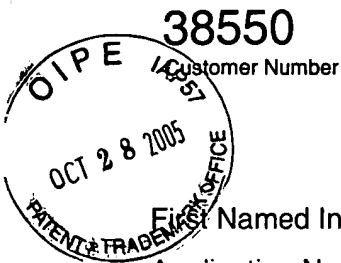


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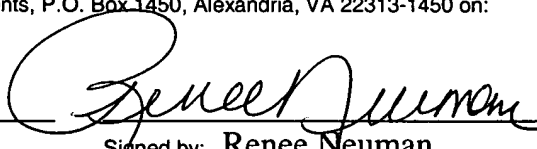
Case No.: 023829-221:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Porter, Michael A Confirmation No.: 4175
Application No.: 10/722,359 Group Art Unit: 1761
Filed: November 25, 2003 Examiner: Anthony J. Weier
Title: MODIFIED OILSEED MATERIAL WITH A HIGH GEL STRENGTH

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

<u>CERTIFICATE OF MAILING</u>	
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:	
October 26, 2005	
Date	Signed by: Renee Neuman

Dear Sir:

In response to the Office Action mailed September 26, 2005, Applicant respectfully requests reconsideration of the subject application in light of the following remarks.

Claims 1-47 are pending. In the Office Action, claims 1-47 were restricted under 35 USC § 121 as follows:

- I. Claims 1-14, 20 and 41-47 are said to be drawn to a modified oilseed material and food containing same, classified in Class No. 426, subclass 656;
- II. Claims 15-19 and 21-40 are said to be drawn to a process for preparing a modified oilseed material, classified in Class 426, subclass 656;

Election

The Restriction Requirement is respectfully traversed. However, to be fully responsive Applicant elects, with traverse, the subject matter of Group 1, claims 1-14, 20 and 41-47. Reconsideration and withdrawal or modification of the restriction requirement is respectfully requested.

This election is respectfully made with traverse. M.P.E.P. § 803 provides as follows: "If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." Applicant respectfully submits that examination of the Group I claims along with the elected Group II

claims should not create a serious burden for the Examiner; there are only forty-seven claims total. Therefore, the restriction requirement should be withdrawn.

Conclusion


Applicants have elected Group I. Continued prosecution of this application is respectfully requested.

It is believed that no fee is due; however, in the event a fee is required, please charge the fee to Deposit Account 50-2342. The Examiner is invited to contact the undersigned at the indicated telephone number with questions that can be resolved with a simple teleconference.

Respectfully submitted,

Oct 26 2008
Date

By:



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